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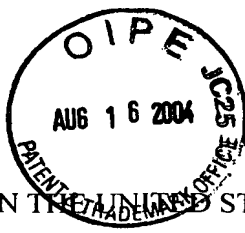


<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/862,492
		Filing Date	May 23, 2001
		First Named Inventor	Peter HELLER et al.
		Group Art Unit	2634
		Examiner Name	Curtis B. ODOM
Total Number of Pages in This Submission		Attorney Docket Number	T3653-8840US01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;"><b>RECEIVED</b> AUG 18 2004 Technology Center 2600</div>
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-1165 (T3653-8840US01) for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	<u>Jason H. Vick, Reg. No. 45,285</u> Miles & Stockbridge P.C. 1751 Pinnacle Drive Suite 500 McLean, VA 22102
Signature	
Date	August 16, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at _____, on _____.	
Signature:	
Name:	



Docket No. T3653-8840US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Peter HELLER et al. ) Group Art Unit: 2637  
Application No. 09/862,492 ) Examiner: Curtis B. ODOM  
Filed: May 23, 2001 )  
For: MULTIMODE MULTICARRIER )  
MODEM SYSTEM AND METHOD OF )  
COMMUNICATION OVER THE SAME )

**RECEIVED**

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Technology Center 2600

**RESPONSE**

Commissioner for Patents  
Alexandria, VA 22313-1450

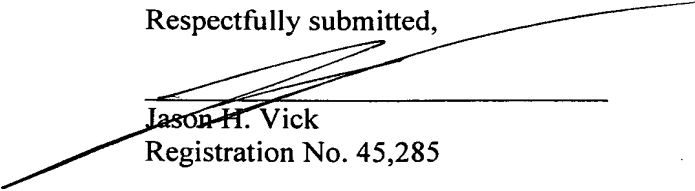
Sir:

In response to the Office Action dated July 27, 2004, and to the requirement for restriction therein, Applicants would like to elect, with traverse, to prosecute in this application the invention designated as Group II (claims 7, 8 and 10-12). Applicants reserve the right to file a divisional patent application with regard to the non-elected invention.

An action on the merits of the claims to the elected invention is respectfully requested.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, then such extension is hereby requested.

Respectfully submitted,

  
\_\_\_\_\_  
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